

**House of Representatives
Committee on Health Regulation
2001-2002 Interim Study on Privatization of Health Practitioner Regulation
Questionnaire for the Florida Dental Association**

Please answer the following questions.

Officer or Staff member(s) providing answers: Dr. Don Cadle, FDA President,
Dr. Al Bauknecht, FDA President-Elect, Debbie Huey, FDA Director of Governmental Affairs,
Rusty Payton, FDA and Carol Berkowitz, Esq., FDA

Is this person a registered legislative branch lobbyist? Debbie Huey, Rusty Payton, and Carol Berkowitz are registered lobbyists.

- 1. Does the association oppose or support privatization of health regulatory functions? Please explain the reason for such opposition or support. If the association opposes or supports privatization of only certain functions, please list the function separately and identify the reason for such opposition or support.**

Answer: The FDA supports the privatization of the Florida Board of Dentistry. The two major functions under the Board of Dentistry that would benefit the most from privatization are:

(1) Enforcement/Prosecution; and (2) Administration/Financial functions.

Enforcement/Prosecution

Currently, the FDA does not believe that licensed dentists are able to efficiently and effectively "police their own profession." Public protection needs to be strengthened in order to better enforce regulations.

Specific concerns with regard to enforcement and prosecution include the following:

- The Probable Cause Panel needs to be able to direct the investigations and outcomes by utilizing a full-time prosecuting attorney well-versed in dental specific issues.
- The regulation of the profession is fragmented due to administration of professional regulation resting between two state agencies (DOH and AHCA).
- The enforcement process needs to be expedited. Disposition of the cases needs to be resolved more timely.
- Licenses that should have been revoked or denied are delayed for unreasonable lengths of time causing greater harm to the public.
- The complaint process needs improvement by utilizing expert personnel trained specifically for dental complaints.
- Investigations should be effective by utilizing personnel trained in dental issues and by investigating only dental related complaints.
- Public Protection must be strengthened by disciplining repeat offenders on a more timely basis.

- Expert staffing for dental regulation is lacking. The Department and the Agency staff, such as investigators and attorneys, typically are not “dental specific” experts. Many must serve as staff for multiple boards and are drawn to private practice once essential experience is gained.

Financial/Administration

The FDA believes that there are better ways to economize the budget and have a fair accounting. The FDA also believes that, by privatizing, Board administration and efficiencies will be streamlined and focused on dental specific issues.

Specific concerns with regard to financial/administration include the following:

- Currently, Board staff are assigned to multiple boards. If privatized, staff would focus solely on dental-related issues and the dental professions.
- Testing Services will allow the Board to be more directly involved by allowing the Board to oversee the confidentiality of the examinee.
- Test results are currently delayed. The FDA believes that the test results need to be on a faster track. This delay unreasonably hampers a new licensee’s ability to plan and launch his/her practice
- Both dental schools (Nova Southeastern and University of Florida College of Dentistry) should offer testing services.

2. Would the association support or oppose legislation that would allow any individual profession or board to privatize all or part of its regulation?

Answer: The FDA supports legislation to privatize the Board of Dentistry. The FDA does not have the expertise to judge other boards and whether it would be in their best interest to privatize and, therefore, declines to answer for another profession.

3. Does the association support or oppose the Board of Dentistry’s efforts to privatize all or part of its regulatory functions?

Answer: Yes. The FDA supports.

4. Will the association be seeking legislation for the 2002 legislative session to allow the Board of Dentistry to privatize all or part of the regulatory functions?

Answer: Yes.

5. With which of the following statements does your association AGREE?

(Please check the box next to the statements with which you agree.)

(✓) Privatization will allow the Board of Dentistry more control over exams.

- (✓) Privatization will allow the Board of Dentistry more control over *enforcement*.**
- (✓) Privatization will provide the Board of Dentistry with more control over *expenditures*.**
- (✓) Privatization will reduce wasteful spending.**
- () Privatization will eliminate using dental funds to subsidize other professions which
Have not historically paid the full cost of regulating its profession.**
- (✓) Privatization will eliminate confusion to the public over which regulatory agency
(Department of Health or Agency for Health Care Administration) enforces
Practitioner regulation.**
- (✓) Privatization will result in better quality regulation.**
- () Privatization will reduce overall costs in the short-term.**

OR

***(✓) Privatization will *not* reduce overall costs in the short-term.**

*** We do not believe the costs will be reduced in the short-term, but overall cost should be reduced over the long-term.**